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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,935	03/18/2004	Douglas J. Ranalli	N004/7001US2	5158

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RISSMAN JOBSE HENDRICKS & OLIVERIO, LLP  
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SUITE 800  
BOSTON, MA 02109

EXAMINER

WENDELL, ANDREW

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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10/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/802,935

Applicant(s)

RANALLI ET AL.

Examiner

Andrew Wendell

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/30/2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti et al. (US Pat Appl# 2003/0012149) in view of Szurkowski (US Pat# 6,417,933) and further in view of Crockett et al. (US Pat Pub# 2003/0153339).

Regarding claim 1, Maggenti et al. method for providing group communication services teaches a method comprising a wireless phone 208-210 (Fig. 3), having push-to-talk (PTT) functionality and registered with a PTT server (Sections 0056 and 0066), sending a request for a PTT session to the PTT server (Sections 0203-0343), the request including a unique identifier of a destination network computer, accessible on a public data network, having PTT functionality and not registered ("users of other

communication systems”) with a PTT server (abstract, Sections 0015, and 0203-0343); the PTT server receiving the request and sending a query for a PTT address for the destination network computer to a directory service accessible on the public data network (Figs. 2 and 3 and Sections 0203-0343); the directory service receiving the query and returning the PTT address to the PTT server (Sections 0203-0343); and the PTT server receiving the PTT address and sending a request for a PTT session to the destination network computer (Sections 0203-0343). Maggenti et al. fails to teach a public data network and unique identifier for the priority date of 6/5/1998 and not registered for PTT service.

Szurkowski's teleconferencing and facsimile communications method teaches a request including a unique identifier 208 (Fig. 3A) of a destination network computer, accessible on a public data network 163 (Fig. 1).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a public data network and unique identifier as taught by Szurkowski into Maggenti et al. method for providing group communication services in order to cut down traveling costs, time, and increasing productivity (Col. 1 lines 43-46).

Szurkowski and Maggenti fail to teach having PTT functionality and not registered for PTT service.

Maggenti does teach having PTT functionality and not registered for PTT service (“users of other communication systems,” abstract, Sections 0015, and 0203-0343). If the user is on another system it is not registered and then the manager allows for them

to join in a PTT session. However to further clarify this limitation Crockett will be used to teach this limitation.

Crockett teaches having PTT functionality (Section 0013) and not registered for PTT service ("adding a new member to an active group call," Claim 1; Sections 0010-0017).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate teach having PTT functionality and not registered for PTT service as taught by Crockett into a public data network and unique identifier as taught by Szurkowski into Maggenti et al. method for providing group communication services in order to reduce latency (Section 0007).

Regarding claim 2, Szurkowski further teaches wherein the public data network is the Internet (Col. 4 lines 41-43).

Regarding claim 3, Maggenti et al. further teaches wherein the PTT address is a Session Initiation Protocol (SIP) address (Sections 0203-0343).

Regarding claim 5, Szurkowski further teaches wherein the directory service issues the unique identifier to the destination network computer (Col. 6 lines 2-33).

Regarding claim 6, it would be obvious wherein the unique identifier is a telephone number with a # prefix. Both Maggenti and Szurkowski teach a unique identifier and having any symbol prefix is obvious.

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a prefix in the unique identifier into a public data network and unique identifier as taught by

Szurkowski into Maggenti et al. method for providing group communication services in order to increase security and easier to note the unique identifier.

Regarding claim 7, it would be obvious wherein the unique identifier is a fixed or variable length number or name with a # or \* prefix. Both Maggenti and Szurkowski teach a unique identifier and having any symbol prefix is obvious.

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a prefix in the unique identifier into a public data network and unique identifier as taught by Szurkowski into Maggenti et al. method for providing group communication services in order to increase security and easier to note the unique identifier.

Regarding claim 8, Maggenti et al. teaches a push-to-talk (PTT) server (Sections 0056 and 0066), containing means for querying a directory service, accessible on a public data network, with a unique identifier to obtain a PTT address for initiating a PTT session with a destination network computer not registered with a PTT server (Figs. 2 and 3, abstract, Sections 0015, and 0203-0343). Maggenti et al. fails to teach a public data network and unique identifier for the priority date of 6/5/1998 and not registered for PTT service:

Szurkowski's teaches a unique identifier 208 (Fig. 3A) of a destination network computer, accessible on a public data network 163 (Fig. 1).

Szurkowski and Maggenti fail to teach having PTT functionality and not registered for PTT service.

Maggenti does teach having PTT functionality and not registered for PTT service ("users of other communication systems," abstract, Sections 0015, and 0203-0343). If the user is on another system it is not registered and then the manager allows for them to join in a PTT session. However to further clarify this limitation Crockett will be used to teach this limitation.

Crockett teaches having PTT functionality (Section 0013) and not registered for PTT service ("adding a new member to an active group call," Claim 1; Sections 0010-0017).

Regarding claim 9, Maggenti et al. further teaches wherein the means for querying includes means for querying a DNS directory service (Sections 0203-0343).

Regarding claim 10, Maggenti et al. further teaches wherein the means for querying includes means for receiving the PTT address (Sections 0203-0343).

Regarding claim 11, Maggenti et al. further teaches means for sending a PTT session request to the destination network computer (Sections 0203-0343).

Regarding claim 12, Maggenti et al. further teaches means for receiving a PTT session response from the destination network computer (Sections 0203-0343).

Regarding claim 13, Maggenti et al. further teaches means for accessing a user equipment registered with the PTT server, means for receiving a request for a PTT session with the unique identifier, and means for sending the user equipment a session response (Sections 0203-0343).

Regarding claim 14, Maggenti et al. teaches a directory service (Section 0078 and 0203-0343), residing on a computer, accessible on a public data network, and

Art Unit: 2618

containing a unique identifier and an associated PTT address of a network computer having PTT functionality and accessible on the public data network (Figs. 2 and 3, abstract, Sections 0015, and 0203-0343). Maggenti et al. fails to teach a public data network and unique identifier for the priority date of 6/5/1998 and not registered for PTT service.

Szurkowski's teaches a unique identifier 208 (Fig. 3A) of a destination network computer, accessible on a public data network 163 (Fig. 1).

Szurkowski and Maggenti fail to teach having PTT functionality and not registered for PTT service.

Maggenti does teach having PTT functionality and not registered for PTT service ("users of other communication systems," abstract, Sections 0015, and 0203-0343). If the user is on another system it is not registered and then the manager allows for them to join in a PTT session. However to further clarify this limitation Crockett will be used to teach this limitation.

Crockett teaches having PTT functionality (Section 0013) and not registered for PTT service ("adding a new member to an active group call," Claim 1; Sections 0010-0017).

Regarding claim 15, Szurkowski further teaches wherein the public data network is the Internet (Col. 4 lines 41-43).

Regarding claim 16, Maggenti et al. further teaches wherein the PTT address is a Session Initiation Protocol (SIP) address (Sections 0203-0343).



Regarding claim 18, it would be obvious wherein the unique identifier is a number or name. Both Maggenti and Szurkowski teach a unique identifier and having any number or name is obvious.

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a name or number in the unique identifier into a public data network and unique identifier as taught by Szurkowski into Maggenti et al. method for providing group communication services in order to increase security and easier to note the unique identifier.

Regarding claim 19, Maggenti et al. further teaches wherein the directory service is a domain name system (DNS) directory service.

4. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti et al. (US Pat Appl# 2003/0012149) in view of Szurkowski (US Pat# 6,417,933) and further in view of Crockett et al. (US Pat Pub# 2003/0153339) and further in view of Kaneko et al. (US Pat Appl# 2005/0221842).

Regarding claim 4, Maggenti et al. method for providing group communication services in view of Szurkowski's teleconferencing and facsimile communications method and further in view of Crockett's method for adding a new member to an active group call teaches the limitations in claims 1 and 3. Maggenti et al. and Szurkowski fails to teach a SIP-URI address.

Kaneko et al. position management server and mobile communication system teaches wherein the SIP address is a SIP-URI that can be further resolved into an IP

Art Unit: 2618

address and a port number for receiving PTT sessions at the destination network computer (Sections 0139-0142 and 0163-0167).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a SIP-URI address as taught by Kaneko et al. into having PTT functionality and not registered for PTT service as taught by Crockett into a public data network and unique identifier as taught by Szurkowski into Maggenti et al. method for providing group communication services in order to enable a session to be initiated even when the terminal can not be connected (Sections 0006-0007).

Regarding claim 17, Kaneko et al. further teaches wherein the SIP address is a SIP-URI that can be resolved into an IP address and a port number for receiving PTT sessions at the network computer (Sections 0139-0142 and 0163-0167).

5. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti et al. (US Pat Appl# 2003/0012149) in view of Szurkowski (US Pat# 6,417,933) and further in view of Crockett et al. (US Pat Pub# 2003/0153339) and further in view of Crockett et al. (US Pat Appl# 2003/0154249).

Regarding claim 20, Maggenti et al. system for providing group communication services in view of Szurkowski's teleconferencing and facsimile communications system and further in view of Crockett's apparatus for adding a new member to an active group call teaches the limitations in claim 14. Maggenti et al. and Szurkowski fails to teach a resource record.

Crockett et al. apparatus for removing a member from an active group call in a group communication network teaches wherein the directory service stores the PTT address as a resource record (Sections 0043-0044).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a resource record as taught by Crockett et al. into having PTT functionality and not registered for PTT service as taught by Crockett into a public data network and unique identifier as taught by Szurkowski into Maggenti et al. system for providing group communication services in order to improve removing a member from an active group call (Section 0011).

Regarding claim 21, Crockett et al. further teaches wherein the format of the resource record is one or more of a Naming Authority Pointer (NAPTR), Service (SRV), and A record (Sections 0043-0044).

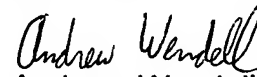
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Andrew Wendell  
Examiner  
Art Unit 2618

9/18/2007

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER